

Nothing in Sheets or Smith discloses, suggests, or even contemplates use of such a flow channel; nor does Sheets or Smith provide any basis for extrapolating their respectively disclosed valve structures to include such a flow channel.

Applicants claimed invention as recited by claims 1-4, 6-8 and 13 therefore further distinguish over the Sheets and Smith references, by requiring a flow channel connecting the control chamber the diaphragm valve inlet, which is a branch off the first part of the first fluid conduit within the body of the diaphragm valve.

Payment of Fees

The rewriting of claims 9 and 21 into independent form does not increase the number of independent claims beyond the number for which payment was previously made, and no additional fee is required therefor.

A check in the amount of \$55.00 is enclosed herewith, for payment of the one-month extension fee required under 37 C.F.R. 1.17(a)(1), so as to extending the time for responding to the November 26, 2002 Office Action to March 26, 2003 under 37 C.F.R. 1.136(a).

The Office is hereby authorized to charge any additional fees necessary for entry of this Amendment, and to credit any overpayment, to Deposit No. 08-3284 of Intellectual Property/Technology Law.

CONCLUSION

In view of all the foregoing, claims 1-4 and 6-13 as amended herein are in form and condition for allowance. Issue of a Notice of Allowance therefore is respectfully requested.

If any issues remain outstanding, the Examiner is requested to contact the undersigned at (919) 419-9350 to discuss their resolution, and expedite closure of prosecution on the merits in favor of allowance of claims 1-4 and 6-13.

Respectfully submitted,



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